

FIFTH DAY

(Wednesday, January 19, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called, and the following Senators were present:

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	

Absent

Phillips

Absent—Excused

Kelley of Hidalgo Weinert
Moore

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

Leaves of Absence Granted

Senator Kelley of Hidalgo was granted leave of absence for today on account of the death of his father on motion of Senator Tynan.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Kelly of Tarrant.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Bullock.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred to the committees indicated:

By Senator Bell:

S. B. No. 89, A bill to be entitled "An Act to authorize guardians of the estates of minors and executors and administrators of estates to contribute funds to charitable institutions and

religious causes, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Carney:

S. B. No. 90, A bill to be entitled "An Act providing that any county in Texas having an elective County Superintendent of Public Instruction may by an election authorize the County School Trustees of the county to appoint the County Superintendent of Public Instruction; providing for the filing of a petition for said election with the County Judge of said county; providing the time and place for holding said election; providing the time for making returns and canvassing the results of said election by the Commissioners Court of the county shall declare the results of the election and if a majority of the qualified voters favor the appointment of the County Superintendent of Public Instruction, the Commissioners Court shall authorize the County School Trustees to make the appointment; providing for the length of term and compensation for the County Superintendent; providing that this Act shall not deprive any person of any term or part of term which he has been duly elected; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

To Committee on Education.

By Senator Shofner:

S. B. No. 91, A bill to be entitled "An Act to transfer all the duties of the respective Tax Assessors and Collectors of the counties of Texas to the State Highway Department in administering all the laws of Texas regarding the registration and titling of motor vehicles, trailers, semi-trailers, and such other vehicles as are required to be registered before use upon the highways of Texas and in collecting all sales taxes imposed upon the transfer of such vehicles; and, amending the registration laws, Certificate of Title Act, and Sales Tax laws in connection therewith and declaring the legislative intent and to amend the subject matter embraced in Article 6675A-1, Revised Civil Statutes of Texas, 1925, Acts 1929, 41st Legislature, 2nd Called Session, page 172, chapter 88, Section 1, as amended by Acts 1930, 41st Legislature, 5th Called Session, page 151, chapter 23, Section 1; and, Acts 1941, 47th Legis-

lature, page 144, chapter 110, Section 2, by adding new Sections to be known as (t), (u), and (v) defining 'Designated Agent,' 'Registration Year' and 'County Tax Collector,' providing for the appointment of Agents by the State Highway Department and the payment of compensation for services rendered and defining the term, 'County Tax Collector' to mean the Agent of the State Highway Department in administering the registration laws affecting vehicles used upon the highways of Texas; and, amending the subject matter embraced in Article 6675A-10, and repealing Sections 10a and 11, Revised Civil Statutes of Texas, 1925, Acts 1929, 41st Legislature, 2nd Called Session, page 172, chapter 88, Section 10, providing for collecting, depositing, reporting and disbursement of funds derived from registration of vehicles used on the highways of Texas; and, amending the subject matter embraced in Section 17, Section 23, Section 26, Section 36, Section 38, Section 42, Section 45, and to repeal Section 39, Section 39(a), Section 39(b) and Section 39(c), and Section 46 of House Bill No. 407, chapter 4, Acts of the 46th Legislature, Regular Session, 1939, and as amended by Acts of the 47th Legislature, page 343, chapter 187, (1941); and, Acts of the 48th Legislature, page 404, chapter 272, (1943); and, Acts of the 50th Legislature, page 168, chapter 105, (1947) and as by this Act amended adding new Sections thereto to be known as Section 26-1, Section 42(a), Section 42(b), Section 42(c), Section 42(d), Section 42(e), Section 42(f), and Section 50A, and prescribing the means and conditions for the issuance of certified copies of Certificates of Title, requiring indemnity bond and payment of fees and prescribing powers of Highway Department of the State of Texas to refuse issuance of Certificate of Title and prescribing method and manner of filing 'floor plan liens,' and statutory liens and the manner of releasing 'floor plan liens'; and prescribing method, manner and conditions of filing notice of claim of adverse interest in motor vehicle where Certificate of Title is in possession of adverse party; and defining the terms 'Importer,' 'Importers Certificate,' 'Designated Agent,' and 'floor plan lien'; and, prescribing for the payment of fees and disbursement there-

of; and, amending the subject matter of Article 7047K, Revised Civil Statutes of Texas, 1925, H. B. 8, Acts of the 47th Legislature, Article VI, Sections 5, 5a and 6, chapter 184, page 269, 1941, providing for the State Highway Department through its designated Agents to collect sales taxes on transfer of motor vehicles; and, amending H. B. 6, Acts of the 41st Legislature, 2nd Called Session, chapter 88, page 172, 1929, as amended by S. B. 43, Acts of the 47th Legislature, chapter 110, page 144, 1941; and, amending H. B. 83, of the 41st Legislature, 5th Called Session, chapter 18, page 141, 1930, as amended by S. B. 85, Acts 42nd Legislature, chapter 27, page 34, 1931, and Acts of the 43rd Legislature, 1st Called Session, chapter 56, page 158, 1933, and H. B. 691, Acts of the 44th Legislature, chapter 342, page 800, 1935, Acts of the 50th Legislature, chapter 370, page 749, 1947; and, amending Penal Code Article 1433, Revised Statutes, 1925, Acts of the 36th Legislature, chapter 138; and, amending Penal Code Article 827a, Acts of the 42nd Legislature, chapter 282, page 507, 1931 and Article 6701d, Revised Civil Statutes, 1925; and, amending Penal Code Article 1435, Revised Statutes 1925, Acts of the 50th Legislature, chapter 364, page 732, 1947, providing for the transfer of all duties and material from the respective Tax Assessors and Collectors to the State Highway Department dealing with the registration of all vehicles required to be registered before use on the highways of Texas and the application for and issuance of Certificates of Title to motor vehicles and such other vehicles used on the highways of Texas required to be titled by a Certificate of Title; and, repealing all laws and parts of laws in conflict to the extent of the conflict only; and, providing a savings clause; and, declaring an emergency."

To Committee on State Affairs.

By Senator Morris:

S. B. No. 92, A bill to be entitled "An Act prescribing the minimum and maximum salaries of the sheriffs and their deputies in all counties of the State of Texas; providing that the act shall be severable; repealing all laws in conflict; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Kelly of Tarrant:

S. B. No. 93, A bill to be entitled "An Act amending Article 2620, Revised Civil Statutes of Texas, 1925, changing the name of the North Texas Junior Agricultural, Mechanical and Industrial College; providing for a governing board for said re-designated College; defining the power and duties of said board; authorizing the purposes of said College; providing the new designation of said College shall apply in all prior statutes or references; and declaring an emergency."

To Committee on Education.

By Senator Lock:

S. B. No. 94, A bill to be entitled "An Act to amend Chapter 77 of the Acts of the Forty-first Legislature, 2nd Called Session, 1929, by making such law applicable to all of the counties, cities, political subdivisions, or tax-assessing districts in the State of Texas; providing for the collection by the Tax Collector of a fee of One Dollar (\$1.00) for the issuance of each certificate on each tract of land to be accounted for as official fees of office; and defining the term "tract of land"; providing for repeal of all laws or parts of laws in conflict therewith; and declaring an emergency."

To Committee on State Affairs.

Senate Concurrent Resolution 5

Senator Bell offered the following resolution:

S. C. R. No. 5, Petitioning the Congress of the U. S. to call a convention for the purpose of drafting an amendment to the Federal Constitution relating to State tidelands rights.

Whereas, the Supreme Court of the United States, in the case of United States v. California, known as the Tidelands decision, has announced a dangerous doctrine of paramount rights and dominion on the part of the United States government which would enable it to expropriate property within a state in times of peace; and,

Whereas, the basis for this claimed assertion of power rests in the constitutional authority of the United States to conduct foreign relations, and such power had never theretofore been construed as being applicable in the conduct of internal affairs; now, therefore,

Be it resolved by the Senate of the

State of Texas, the House of Representatives concurring, That the Congress of the United States be petitioned, under Article V of the Constitution of the United States, to call a convention for the purpose of drafting and submitting to the several states an amendment to the Federal Constitution, reading as follows:

"XXII. The powers of the United States for conducting United States relations with foreign nations shall not be extended to include matters of internal sovereignty. The decision of the Supreme Court of the United States in the case of United States v. California, 332 U. S. 19, insofar as it announces the doctrine of paramount rights and dominion on the part of the United States as against the State of California, is hereby repudiated."

Be it further resolved, that a copy of this resolution be transmitted to the presiding officer of each branch of the several states' Legislatures with the recommendation that said bodies petition the Congress to call a Convention for proposing a constitutional amendment as above set out.

Signed: Bell, Carney, Harris, Lane, Hazlewood, Ashley, Morris, Shofner, Martin, Cousins, McDonald, Bracewell, Colson, Bullock, Phillips, Proffer, Kelly of Tarrant, Jones, Tynan, Corbin, Strauss, Hudson, Moffett, Aikin, Taylor, Moore and Kelley of Hidalgo.

The resolution was read.

Senator Bell asked unanimous consent to consider the resolution immediately.

The Presiding Officer announced that there was objection.

Senator Bell then moved to consider the resolution immediately.

The motion prevailed by the following vote:

Yeas—22

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Cousins	Shofner
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan

Nays—3

Hardeman Vick
Hudson

Absent

Corbin Proffer
Phillips

Absent—Excused

Kelley of Hidalgo Weinert
Moore

Question then recurring on the resolution, it was adopted.

Messages From the Governor

The Presiding Officer laid before the Senate and directed the Secretary to read the following messages from the Governor:

Austin, Texas,
January 19, 1949.

To The Senate of the Fifty-first Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a member of the Liquor Control Board to fill the unexpired term of Honorable Fred Minor, resigned, term to expire November 15, 1949:

J. Gordon (Obie) Bristow of Big Spring, Howard County.

To be Chairman of the Liquor Control Board (to succeed Fred Minor):

Leonard B. Brown of Kerrville, Kerr County.

To be a member of the State Board of Barber Examiners to fill the unexpired term of J. B. Burris, resigned, term to expire October 14, 1949:

Charles Guenther of Schulenburg, Fayette County.

To Be members of the State Commission for the Blind for six-year terms to expire January 1, 1955:

B. F. Payne of Carthage, Panola County;

Dolores (Mrs. Phil) Kazen of Laredo, Webb County.

To be Secretary of State:

Ben Ramsey of San Augustine, San Augustine County.

To be Adjutant General of Texas: General K. L. Berry of Denton, Denton County.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Austin, Texas,
January 19, 1949.

To The Senate of the Fifty-first Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments made by me since the adjournment of the Fiftieth Legislature:

To be Assistant Adjutant General of Texas:

Col. William H. Martin of Austin, Travis County.

To be Commissioner of Labor Statistics for the term expiring January 31, 1949:

M. B. Morgan of Denison, Grayson County.

To be members of the Gonzales State Park Commission for two-year terms to expire June 12, 1949:

Mrs. Henry Reese III of Gonzales, Gonzales County;

Mrs. B. Duncan Davis of Gonzales, Gonzales County;

Mrs. A. G. Blackwelder of Gonzales, Gonzales County.

To be Judge of the Criminal District Court No. 1, Dallas County, to succeed the late Honorable Winter King:

Robert A. Hall of Dallas, Dallas County.

To be a member of the State Plumbing Board to fill the unexpired term of Warren Bellows, resigned, term to expire May 28, 1953:

James M. Odom of Austin, Travis County.

To be members of the Texas Civil Judicial Council for six-year terms to expire July 1, 1953:

George Waverley Briggs of Dallas, Dallas County (Layman member);

Thomas J. Pitts of Odessa, Ector County (Lawyer member).

To be a member (Journalist) of the

Texas Civil Judicial Council for a six-year term to expire July 1, 1953:

Richard M. Morehead of Austin, Travis County.

To be Judge of the 129th Judicial District Court of Harris County, Texas:

Dan Jackson of Houston, Harris County.

To be members of the State Board of Pharmacy for six-year terms to expire June 14, 1953:

Leon L. Kahanek of Hallettsville, Lavaca County;

Shine Phillips of Big Spring, Howard County.

To be a member of the James Stephen Hogg Memorial Commission for a six-year term to expire June 12, 1953:

B. G. Byars of Tyler, Smith County.

To be members of the State Board of Trustees for the State Employees Retirement System:

Joe Fletcher of the Department of Public Safety, two-year term to expire June 10, 1949;

C. F. Boulden of the Railroad Commission, four-year term to expire June 10, 1951;

Fred Bennett of the State Highway Department, six-year term to expire June 10, 1953.

To be Judge of the 133rd Judicial District Court of Harris County, Texas:

Wilmer Hunt of Houston, Harris County.

To be members of the State Board of Health for six-year terms to expire June 12, 1953:

Dr. A. W. Rogers of Corsicana, Navarro County;

Dr. T. C. Terrell of Fort Worth, Tarrant County;

Dr. John H. Mitchell of Tyler, Smith County.

To be a member of the State Board of Embalming for a six-year term to expire May 31, 1953:

Glenn Massie of Austin, Travis County.

To be members of the Burial Association Rate Board:

W. W. Rix of Lubbock County, for a 2 year term to expire June 12, 1949;

Harry Skinner of Edinburg for a 2 year term to expire June 12, 1949;

Marvin Shannon of Fort Worth for a 4 year term to expire June 12, 1951;

Grady Fry of Paris, for a 4 year term to expire June 12, 1951;

J. E. Keever of Ennis for a 6 year term to expire June 12, 1953;

Tom Welch of Longview for a 6 year term to expire June 12, 1953.

To be members of the Fannin State Park Commission:

Mrs. Hattie Swickheimer of Goliad, Goliad County, for a 6 year term to expire September 5, 1953;

Ralph Bego of Goliad, Goliad County, for a 4 year term to expire September 5, 1951;

Arthur Killebrew of Goliad, Goliad County, for a 2 year term to expire September 5, 1949.

To be members of the Board of Nurse Examiners:

Miss Laura Cole of Temple, Bell County, to fill the unexpired term of Mrs. Eloween Mesch, resigned, term to expire April 9, 1949;

Miss Maurine Bridwell of San Angelo, Tom Green County, to fill the unexpired term of Blanche Thompson, resigned, term to expire April 9, 1951.

To be Judge of the 5th Judicial District to fill the unexpired term of Honorable Robert S. Vance, resigned:

E. Harold Beck of Texarkana, Bowie County.

To be members of the State Board of Optometry for 6 year terms to expire August 11, 1953:

Dr. J. Howard Clark of Houston, Harris County;

Dr. N. J. Rogers of Beaumont, Jefferson County.

To be members of the Veterans Affairs Commission:

R. Q. Akers of Beaumont, Jefferson County, for a 6 year term to expire June 12, 1953;

Joe M. Daniel of Corsicana, Navarro County, for a 6 year term to expire June 12, 1953;

Rene A. Garza of Zapata, Zapata County, for a 4 year term to expire June 12, 1951;

Lewis P. Fields of Amarillo, Potter County, for a 4 year term to expire June 12, 1951;

Frank Ikard of Wichita Falls, Wich-

ita County, for a 2 year term to expire June 12, 1949.

To be members of the Advisory Hospital Council for 6 year terms to expire August 13, 1953:

Dr. Harvey Renger of Hallettsville, Lavaca County;

Dr. Merton Minter of San Antonio, Bexar County;

Ben Templeton of Brady, McCulloch County;

Meade Griffin of Plainview, Hale County.

To be members of the Advisory Hospital Council for 4 year terms to expire August 13, 1951:

Thomas Head of San Angelo, Tom Green County;

Dr. Joseph D. Nichols of Atlanta, Cass County;

Dr. R. W. Kimbro of Cleburne, Johnson County;

J. Walton Hammond of Waco, McLennan County.

To be members of the Advisory Hospital Council for 2 year terms to expire August 13, 1949:

Dr. Horace Baker of Wills Point, Van Zandt County;

Bert Giesecke of Austin, Travis County;

C. T. McLaughlin of Snyder, Scurry County;

Mrs. Wanda Reed of Amarillo, Potter County.

To be a member of the Texas Employment Commission to fill the unexpired term of Honorable T. B. Hyder, resigned, term to expire November 21, 1948:

Colonel Dwight Horton of Hays County.

To be a member of the Industrial Accident Board for a 6 year term to expire September 1, 1953:

Leonard Carlton of Commerce, Hunt County.

To be members of the State Board of Veterinary Medical Examiners for two year terms to expire January 17, 1949:

J. W. Barton of Temple, Bell County;

Joe B. Mimms of Cleburne, Johnson County;

R. L. Rhea of San Antonio, Bexar County;

J. D. Williams of Colorado City, Mitchell County;

William N. Porter of Denison, Grayson County;

H. K. Maier of Beaumont, Jefferson County;

N. A. Cox of Lubbock, Lubbock County.

To be members of the Board of Directors of the Nueces River Conservation and Reclamation District for 6 year terms to expire February 1, 1953:

T. A. Hardin, Jr., of Uvalde, Uvalde County;

Luther DeVilbiss of Pearsall, Frio County;

Lee Ricks of Pleasanton, Atascosa County;

Francis C. Richter of Hondo, Medina County;

Tom Miller of George West, Live Oak County;

F. W. Pulliam of Crystal City, Zavala County;

Frank B. Lefevre of San Antonio, Bexar County.

To be a member of the Board of Directors of the Dallas County Flood Control District for a six year term to expire September 4, 1953:

Albert Hagman, Sr., of Dallas, Dallas County.

To be members of the Board of Directors of the Texas College of Arts and Industries at Kingsville for 6 year terms to expire August 31, 1953:

Loy Sims of Sinton, San Patricio County;

Phillip Peareson of Richmond, Fort Bend County;

Albert Martin of Laredo, Webb County.

To be members of the State Board of Public Accountancy for two year terms to expire September 4, 1949:

O. H. Maschek of Beaumont, Jefferson County;

J. A. Phillips of Houston, Harris County;

C. A. Freeze of San Angelo, Tom Green County.

To be chairman of the Good Neighbor Commission of Texas for 2 year term to expire June 19, 1949:

R. E. (Bob) Smith of Houston, Harris County.

To be members of the Good Neighbor Commission of Texas for 6 year terms to expire June 19, 1953:

Karl Hoblitzelle of Dallas, Dallas County;

General Jonathan M. Wainwright of San Antonio, Bexar County;

Hugh Halff of San Antonio, Bexar County.

To be members of the Good Neighbor Commission of Texas for 4 year terms to expire June 19, 1951:

Bishop C. E. Byrne of Galveston, Galveston County;

Dorrance Roderick of El Paso, El Paso County;

Guy I. Warren of Corpus Christi, Nueces County.

To be members of the Good Neighbor Commission of Texas for 2 year terms to expire June 19, 1949:

Lloyd C. Bentsen of McAllen, Hidalgo County;

H. H. Coffield of Rockdale, Milam County.

To be a member of the State Board of Hairdressers and Cosmetologists for 6 year term to expire August 9, 1953:

B. L. Autry of Dallas, Dallas County.

To be Associate Justice of the Supreme Court of Texas, to fill the unexpired term of Honorable C. S. Slatton, resigned:

James P. Hart of Austin, Travis County.

To be a member of the State Board of Water Engineers for a 6 year term to expire August 19, 1953:

Colonel E. V. Spence of Big Spring, Howard County.

To be a member of the Texas Aeronautics Commission for a 6 year term to expire September 4, 1953:

Virgil L. Musick of Lubbock, Lubbock County.

To be members of the Board of Directors of the Upper Colorado River Authority for six year terms to expire January 1, 1953:

W. D. Holcomb of San Angelo, Tom Green County;

Robert E. Bruce of Ballinger, Runnels County;

Cumbe Ivey of Robert Lee, Coleman County.

To be members of the Board of Directors of the San Antonio River Canal and Conservancy District for six year terms to expire May 5, 1953:

M. L. Roark of San Antonio, Bexar County;

Alf Schroeter of Runge, Karnes County;

Martin Giesecke of San Antonio, Bexar County.

To be members of the State Board of Registration for Professional Engineers for 6 year terms to expire September 24, 1953:

J. B. Thomas of Fort Worth, Tarrant County;

E. W. Pittman of Beaumont, Jefferson County.

To be Firemen's Pension Commissioner for 2 year term to expire July 1, 1949:

H. B. Satterfield of Lufkin, Angelina County (now deceased).

To be a member of the Board of Regents of the University of Texas to fill the unexpired term of W. Scott Schreiner, resigned, term to expire January 10, 1953:

A. M. G. (Swede) Swenson of Stamford, Jones County.

To be a member of the State Board of Pharmacy to fill the unexpired term of M. E. Dooley, deceased, term to expire June 14, 1949:

Lee T. Stinson of Snyder, Scurry County.

To be members of the Library and Historical Commission for 6 year terms to expire September 28, 1953:

L. W. Kemp of Cameron, Milam County;

John Gould of Wichita Falls, Wichita County.

To be District Attorney of the 25th Judicial District to fill the unexpired term of Honorable Denver E. Perkins, resigned:

Willis E. Ellison of Gonzales, Gonzales County.

To be a member of the Texas Prison Board to fill the unexpired term of Henry Womble, deceased, term to expire February 2, 1951:

B. A. Stufflebeme of Grand Prairie, Dallas County.

To be members of the State Board of Barber Examiners for two year terms to expire October 14, 1949:

Charles W. Dick of Abilene, Taylor County;

J. B. Burris of Seguin, Guadalupe County.

To be a member of the Board of Architectural Examiners for a 6 year term to expire July 26, 1953:

Bartlett Cocke of San Antonio, Bexar County.

To be members of the State Board of Chiropody Examiners for 6 year terms to expire August 11, 1953:

Dr. Kenneth L. Rice of El Paso, El Paso County;

Dr. Owen M. Murphy of Tyler, Smith County.

To be members of the Board of Trustees, Municipal Retirement System:

Roy H. Laird, Kilgore, Gregg County, term to expire December 31, 1948, Executive Trustee;

A. H. Grantham, Lockhart, Caldwell County, term to expire December 31, 1949, Executive Trustee;

Charles E. Damron, Childress, Childress County, term to expire December 31, 1951, Employee Trustee;

D. D. Nixon, Lampasas, Lampasas County, term to expire December 31, 1950, Employee Trustee.

To be a member of the Goliad State Park Commission for term to expire March 25, 1951:

Mrs. Kate Woods of Goliad, Goliad County.

To be a member of the Board of Trustees, Teacher Retirement System, for a 6 year term to expire August 31, 1953:

J. W. Edgar of Austin, Travis County.

To be a member of the Texas Prison Board to fill the unexpired term of L. T. Murray, resigned, term to expire February 2, 1951:

Elmer L. Lincoln of Texarkana, Bowie County.

To be a member of the Battleship "Texas" Commission for term to expire May 26, 1949, to fill the unexpired term of Dr. William E. Howard of Dallas, resigned:

A. W. Neville of Paris, Lamar County.

To be a member of the Liquor Control Board for a 6 year term to expire November 15, 1953:

Leonard B. Brown of Kerrville, Kerr County.

To be a member of the Texas Prison Board to fill the unexpired term of Honorable Albert Lee of Houston, resigned, term to expire February 2, 1951:

French M. Robertson of Abilene, Taylor County.

To be Associate Justice of the Court of Civil Appeals, Third Supreme Judicial District, to fill the unexpired term of the late Justice J. H. Baugh:

Judge Raymond Gray of San Saba, San Saba County.

To be a member of the Battleship "Texas" Commission for term to expire May 26, 1949:

Frank Butler of Temple, Bell County.

To be a member of the State Commission for the Blind to fill the unexpired term of Miss Rebecca Chapin, term to expire January 1, 1953:

W. Reginald Taylor of Columbus, Colorado County.

To be District Attorney of the 32nd Judicial District to fill the unexpired term of Honorable Charles Nunn, resigned:

Eldon B. Mahon of Colorado City, Mitchell County.

To be District Judge of the 83rd Judicial District to fill the unexpired term of Honorable H. O. Metcalfe, resigned, to become effective January 1, 1948:

Alan R. Fraser of Alpine, Brewster County.

To be a member of the State Board of Control for a 6 year term to expire December 31, 1953:

T. B. Warden of Austin, Travis County.

To be a member of the Commission of Public Safety for a 6 year term to expire December 31, 1953:

George W. Cottingham of Houston, Harris County (now deceased).

To be members of the Game, Fish and Oyster Commission for six year terms to expire September 1, 1953:

Gene Howe of Amarillo, Potter County;

V. F. (Doc) Neuhaus of McAllen, Hidalgo County.

To be Chief Justice of the Supreme Court of Texas to fill the unexpired term of the late Honorable Chief Justice James P. Alexander:

John Edward Hickman of Eastland, Eastland County.

To be Associate Justice of the Supreme Court of Texas to fill the unexpired term created by the elevation of Judge J. E. Hickman to the Chief Justice position:

St. John Garwood of Houston, Harris County.

To be a member of the State Board of Education to fill the unexpired term of Phil M. Stevenson, resigned, term to expire January 1, 1953:

R. B. Cousins, Jr., of Austin, Travis County.

To be a member of the State Board of Medical Examiners to fill the unexpired term of Dr. T. J. Crowe, deceased, term to expire April 13, 1951:

Dr. Wendel A. Stiles of Dallas, Dallas County.

To be a member of the Civil Judicial Council to fill the unexpired term of Honorable Major T. Bell, resigned, term to expire July 1, 1951:

Leon Jaworski of Houston, Harris County.

To be a member of the State Board of Medical Examiners to fill the unexpired term of the late Dr. N. D. Buie, term to expire April 13, 1953:

Dr. Howard O. Smith of Marlin, Falls County.

To be a member of the Battleship Texas Commission to fill the unexpired term of the late J. Perry Moore, term to expire May 26, 1949:

Tom C. Dunn, Jr., of Houston, Harris County.

To be District Attorney of the 76th Judicial District to fill the unexpired term of Dean Neugent, resigned:

James R. Cornelius, Jr., of Jefferson, Marion County.

To be a member of the San Jacinto Park Commission to fill the unexpired term of the late J. Perry Moore, term to expire May 23, 1949:

O. H. Carlisle of Houston, Harris County.

To be Firemen's Pension Commissioner to fill the unexpired term of the late H. B. Satterfield, term to expire July 1, 1949:

Frank Williams of Austin, Travis County.

To be a member of the State Board of Dental Examiners to fill the unexpired term of Dr. Marion F. Webster, resigned, term to expire May 24, 1951:

Dr. Emmett R. Johnson of Dallas, Dallas County.

To be Chairman of the Board of Mansion Supervisors for a six year term to expire January 1, 1954:

Mrs. George B. Butler of Austin, Travis County.

To be a member of the James Stephen Hogg Memorial Commission to fill the unexpired term of Herman V. Puckett, resigned, term to expire June 12, 1951:

Carl Estes of Longview, Gregg County.

To be a member of the Commission of Public Safety to fill the unexpired term of the late George W. Cottingham, term to expire December 31, 1953:

Hoxie H. Thompson of Trinity, Trinity County.

To be a member of the Board of Regents, Texas State College for Women, to fill the unexpired term of the late Mrs. Edwin T. Phillips, term to expire January 10, 1953:

Mrs. Carney B. Fletcher of Hempstead, Waller County.

To be a member of the Board of Directors, Lower Colorado River Authority, to fill the unexpired term of Mr. P. R. Hamill, resigned, term to expire January 1, 1949:

J. C. Lewis of Bay City, Matagorda County.

To be a member of the State Board of Barber Examiners to fill the unexpired term of J. H. Francis, resigned, term to expire October 14, 1948:

Elgin O. Burrer of Austin, Travis County.

To be a member of the State Board of Medical Examiners to fill the unexpired term of Dr. H. F. Connally, deceased, term to expire April 13, 1953:

Dr. L. H. Denman of Lufkin, Angelina County.

To be a member of the State Parks Board to fill the unexpired term of the late H. G. Webster, term to expire May 15, 1951:

Lonnie C. Fuller of Denison, Grayson County.

To be Judge of the 37th Judicial District to fill the unexpired term of the late Hon. R. W. B. Terrell:

William C. Davis of San Antonio, Bexar County.

To be members of the Central Colorado River Authority for terms to expire January 1, 1953:

R. G. Hollingsworth of Coleman, Coleman County;

W. T. Stewardson of Santa Anna, Coleman County;

Clyde Thate of Burkett, Coleman County.

To be a member of the Central Colorado River Authority to fill the unexpired term of Arthur Young, deceased, term to expire January 1, 1949:

Cal Averett, Coleman, Coleman County.

To be a member of the State Board of Embalming to fill the unexpired term of the late George W. Loudermilk, term to expire May 13, 1949:

Thomas E. Schier of Houston, Harris County.

To be a member of the State Board of Nurse Examiners to fill the unexpired term of Sister Antonia O'Donahue, resigned, term to expire April 9, 1949:

Sister Catherine Elizabeth of Fort Worth, Tarrant County.

To be Rio Grande Compact Commissioner for term to expire July 16, 1949:

J. E. Quaid of El Paso, El Paso County (now deceased).

To be Commissioner of the National Conference of Commissioners on Uniform State Laws for term to expire July 7, 1949:

Ben H. Powell of Austin, Travis County.

To be District Judge of the 126th Judicial District to fill the unexpired term of Judge Roy C. Archer, resigned:

Jack Roberts of Austin, Travis County.

To be District Attorney of the 53rd Judicial District to fill the unexpired term of Jack Roberts, resigned:

Bob Long of Austin, Travis County.

To be Presiding Judge of the Third Administrative Judicial District to fill the vacancy created by resignation of Judge Archer of Austin:

A. P. Mays of Corsicana, Navarro County.

To be Rio Grande Compact Commissioner to fill the unexpired term of J. E. Quaid, deceased, term to expire July 16, 1949:

Louis A. Scott of El Paso, El Paso County.

To be a member of the State Board of Barber Examiners for a two year term to expire October 14, 1950:

Elgin O. Burrer of Austin, Travis County.

To be members of the Board of Directors, Upper Red River Control and Irrigation District for terms to expire July 3, 1953:

T. J. Dunbar of Memphis, Hall County;

J. A. Whaley of Memphis, Hall County.

To be members of the State Board of Public Accountancy for two year terms to expire September 4, 1950:

A. H. Freemon of Wichita Falls, Wichita County;

Leon O. Lewis of San Antonio, Bexar County.

To be a member of the Veterans' Affairs Commission to fill the unexpired term of Frank Ikard of Wichita Falls, resigned, term to expire January 12, 1949:

Marcus Weems of West Columbia, Brazoria County.

To be District Judge of the 11th Judicial District to fill the unexpired term of Honorable W. W. Moore, deceased:

Ben F. Moorhead of Houston, Harris County.

To be Judge of the 87th Judicial District Court to succeed the late Honorable Lex Smith:

Rob William Williford of Fairfield, Freestone County.

To be a member of the Texas Em-

ployment Commission for a six year term to expire November 21, 1953:

Colonel Dwight Horton of Blanco, Blanco County.

To be District Judge of the 30th Judicial District to fill the unexpired term of Honorable H. W. Fillmore, resigned:

Frank Ikard of Wichita Falls, Wichita County.

To be members of the Board of Regents of the University of Texas for six year terms to expire January 10, 1955:

Mrs. Margaret Batts Tobin of San Antonio, Bexar County;

David M. Warren of Panhandle, Carson County;

Dudley K. Woodward, Jr., of Dallas, Dallas County.

To be District Judge of the 70th Judicial District to fill the unexpired term of Honorable Cecil C. Collings, resigned:

Paul Moss of Odessa, Ector County.

To be members of the State Board of Education for six year terms to expire January 1, 1955:

Gilbert M. Denman of San Antonio, Bexar County;

Wallace Hughston of McKinney, Collin County;

Arthur Temple of Diboll, Angelina County.

To be a member of the State Board of Education to fill the unexpired term of Herman Custard, deceased, term to expire January 1, 1951:

Jack Binion of Houston, Harris County.

To be members of the Board of Regents, Texas State College for Women, for six year terms to expire January 10, 1955:

D. M. Pollard of Beaumont, Jefferson County;

Mrs. Arthur F. Dieterich of Dorchester, Grayson County;

Rupert Craig of Athens, Henderson County.

To be Judge of the 87th Judicial District Court for two year term beginning January 1, 1949:

Rob William Williford of Fairfield, Freestone County.

To be members of the Board of Directors, Upper Colorado River Authority, for six years to expire January 1, 1955:

G. C. Allen of Robert Lee, Coke County;

C. S. Coleman of Miles, Runnels County;

Frank Cannon of San Angelo, Tom Green County.

To be members of the Board of Directors, Lower Colorado River Authority, for six year terms to expire January 1, 1955:

J. C. Lewis of Bay City, Matagorda County;

Clay Kuykendall of San Saba, San Saba County;

Alex Hardin of Llano, Llano County.

To be members of the Board of Regents, State Teachers Colleges, for six year terms to expire January 1, 1955:

H. L. Mills of Houston, Harris County;

Newton S. Harrell of Claude, Armstrong County;

Miss Emma Mae Brotze of Marshall, Harrison County.

To be Executive Trustee, Municipal Retirement System, for a five year term to expire December 31, 1953:

Roy H. Laird of Kilgore, Gregg County.

To be member of the State Board of Registration for Professional Engineers to fill the unexpired term of A. F. Mitchell, resigned, term to expire September 24, 1951:

W. M. Andrews of Houston, Harris County.

To be a member of the James Stephen Hogg Memorial Commission to fill the unexpired term of Carl Estes, resigned, term to expire June 12, 1951:

Miss Ima Hogg of Houston, Harris County.

To be member of the State Highway Commission to fill the unexpired term of John S. Redditt of Lufkin, resigned, term to expire February 15, 1951:

A. F. Mitchell of Corsicana, Navarro County.

To be members of the Board of Directors of A. & M. College for 6 year terms to expire January 10, 1955:

George R. White of Brady, McCulloch County;

E. W. Harrison, South Bend, Young County;

A. E. Cudlipp of Lufkin, Angelina County.

To be Judge of the 101st Judicial District to fill the unexpired term of Honorable W. M. Cramer, resigned:

Dallas Blankenship of Dallas, Dallas County.

To be Chairman of the State Highway Commission:

Fred Wemple of Midland, Midland County.

To be Branch Pilots for Sabine Bar, Pass and Tributaries for two year terms:

Carl M. Bancroft of Jefferson County, term to expire July 20, 1949;

J. M. Cox of Jefferson County, term to expire August 25, 1949;

Christian F. Petersen of Jefferson County, term to expire August 8, 1949;

G. H. McFarland of Jefferson County, term to expire August 8, 1949;

S. W. Levingston, Jr., of Jefferson County, term to expire October 1, 1949;

Arne Pederson of Jefferson County, term to expire October 2, 1949;

J. E. Gonzales of Jefferson County, term to expire October 31, 1949;

Rodney Robinson of Jefferson County, term to expire December 1, 1949;

Frank D. French of Jefferson County, term to expire March 26, 1950;

Edgar Woodhouse of Jefferson County, term to expire April 24, 1950;

Carlyle J. Plummer of Jefferson County, term to expire April 24, 1950;

A. N. Dillon of Jefferson County, term to expire April 24, 1950;

Bert Jackson of Jefferson County, term to expire February 12, 1950;

William F. Fredeman of Jefferson County, term to expire December 17, 1950;

Willard M. Carroll of Jefferson County, term to expire December 17, 1950;

Surrey B. Ellis of Jefferson County, term to expire December 17, 1950;

James R. Levingston of Jefferson

County, term to expire December 17, 1950;

Howard C. Plummer of Jefferson County, term to expire December 17, 1950;

Victor E. Sanford of Jefferson County, term to expire December 17, 1950;

L. S. Tibbitts of Jefferson County, term to expire December 17, 1950;

T. I. Truitt of Jefferson County, term to expire December 17, 1950.

To be Branch Pilots for the Port of Galveston and Texas City for two year terms:

Sherman B. Wetmore of Galveston County, term to expire June 5, 1949;

Kent O. Barton of Galveston County, term to expire September 10, 1950;

Giles W. Hatch of Galveston County, term to expire October 30, 1950;

R. M. Watson of Galveston County, term to expire September 5, 1949;

G. W. Crosby of Galveston County, term to expire September 1, 1949;

R. W. Howard of Galveston County, term to expire September 1, 1949;

H. F. Johnson of Galveston County, term to expire September 1, 1949.

To be Branch Pilots for Aransas Pass, Bar and Corpus Christi Bay for two year terms:

Van Albert Court of Nueces County, term to expire December 1, 1949;

Harold P. Lister, Jr., of Nueces County, term to expire December 1, 1949;

Clyde W. Armstrong of Nueces County, term to expire March 31, 1950;

Albert A. Walker of Nueces County, term to expire March 31, 1950;

John Frederick Mathison of Nueces County, term to expire May 28, 1950;

Virgil Thomas Lindley of Nueces County, term to expire May 28, 1950;

Andrew Ben Anderson of Nueces County, term to expire May 28, 1950;

Max J. Luther, Jr., of Nueces County, term to expire August 12, 1950;

Gilbert S. Spinney of Nueces County, term to expire August 30, 1950.

To be Branch Pilots for Galveston Bar and Houston Ship Channel for two year terms:

Charles S. Borup of Harris County, term to expire July 20, 1949;

J. F. Cook of Harris County, term to expire September 11, 1949;

Edward B. Mercer of Harris County, term to expire September 15, 1949;

Holt P. Daniels of Harris County, term to expire September 20, 1949;

Mason Wiggins of Harris County, term to expire September 22, 1949;

Coney Townsend McMains of Harris County, term to expire November 5, 1949;

Charles H. Fuller of Harris County, term to expire November 5, 1949;

Nick J. Morina of Harris County, term to expire January 1, 1950;

John Rose Rowland of Harris County, term to expire January 11, 1950;

Michael F. Russell of Harris County, term to expire March 18, 1950;

Leo Skinner of Harris County, term to expire September 17, 1950;

Charles O'Brien of Harris County, term to expire September 17, 1950;

Captain I. E. Wicker of Harris County, term to expire December 17, 1950.

To be Branch Pilots for the Mouth of Brazos River and Bar for two year terms to expire August 12, 1949:

William Allen of Brazoria County;

S. W. Hudgins of Brazoria County.

To be Branch Pilots for the Port Isabel-San Benito Navigation District for two year terms to expire January 3, 1951:

Captain Joseph A. Kelly of Cameron County;

Captain Aubrey Dodge Shaw of Cameron County.

Respectfully submitted,

BEAUFORD H. JESTER,
Governor of Texas.

The messages were read and referred to the Committee on Nominations of the Governor.

Senate Resolution 9

Senator Harris offered the following resolution:

Whereas, Miss Kerry Ross Kelly of Tarrant County, Texas, was born on April 10, 1948, the daughter of Honorable and Mrs. Keith Kelly; and

Whereas, Her father is a distinguished Member of the Senate, and her mother is his charming and able helpmate; and

Whereas, Kerry Ross, familiarly known as "Kerry," is of charming personality and possessed of queenly qualifications, which endear her to the Members of the Senate; and

Whereas, It is the desire of the Senate to name her a "Sweetheart" of the Senate, and that her photograph be included in the block picture of the Senate; now, therefore, be it

Resolved, That Kerry Ross Kelly be and she is hereby named a "Sweetheart" of the Senate of Texas, and that her photograph be included in the block picture of the Senate.

The resolution was read and was adopted.

Senate Resolution 10

Senator Vick offered the following resolution:

Whereas, We will be favored during the Fifty-first Session of the Texas Senate by the presence of a charming and adorable young man who radiates peace, happiness and good will; and

Whereas, This young man is showing every indication that he inherited the fine attributes of character of his father and mother; and

Whereas, David Alan Shofner, now twenty months of age, is the son of Senator W. A. Shofner, a former member of the House of Representatives and now a distinguished member of this Senate; and

Whereas, David Alan Shofner promises to lead in future statesmanship, and is a proper person to become Mascot of the Senate of Texas of the Fifty-first Legislature; now, therefore, be it

Resolved, That as evidence of our admiration, friendship and love, we herewith officially designate David Alan Shofner as Mascot of the Senate of the State of Texas of the Fifty-first Legislature; and, be it further

Resolved, That his picture be placed on the picture panel as "Mascot of the Texas Senate" with the members of this Session, and that a copy of this Resolution be sent to him.

The resolution was read and was adopted.

Senate Resolution 11

Senator Vick offered the following resolution:

Whereas, On the 3rd day of January, 1948, the Giver of all Good Gifts presented to the Honorable Hill D. Hudson and his wife, the lovely and gracious Mary Ann Hudson, a son whose name is William Bonner Hudson; and

Whereas, This young man reflects the lovely attributes of his mother and displays a precocity that betokens his mental development to the high level of his father, who is a distinguished member of this Senate; and

Whereas, William Bonner Hudson is superbly qualified to perform the duties and accept the prerequisites of the honored position of Mascot of the Texas Senate; and

Whereas, It is the desire of this body so to honor this outstanding young man; now, therefore, be it

Resolved, That we extend felicitations and good wishes to this fine young man, and, as evidence of our admiration and love, we herewith designate William Bonner Hudson as Mascot of the Texas Senate during the Fifty-first Session of the Texas Legislature; and, be it further

Resolved, That his picture be placed on the picture panel as Mascot of the Texas Senate with members of this Session, and that a copy of this Resolution be sent to him.

The resolution was read and was adopted.

Recess

On motion of Senator Strauss, the Senate at 11:35 o'clock a.m. today took recess to 11:40 o'clock a.m. today.

After Recess

The Presiding Officer called the Senate to order at 11:40 o'clock a.m. today.

Executive Session

On motion of Senator Strauss and by unanimous consent, the Senate agreed to hold an executive session immediately.

Accordingly, the Presiding Officer directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-

Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nomination of the Governor:

To be Secretary of State:

Ben Ramsey, San Augustine, Texas, San Augustine County.

In Legislative Session

The Presiding Officer called the Senate to order at 12:00 o'clock m., today.

Senate Resolution 12

Senator Jones offered the following resolution:

Whereas, On January 17, 1949, Governor Beauford H. Jester and Lieutenant Governor Allan Shivers, together with their wives and members of the State Senate and other distinguished guests, were honored by the Senate Ladies Club as its guests at a most delightful banquet and program held at the Stephen F. Austin Hotel; and

Whereas, The Members of the Senate and others in attendance at the banquet were given an evening of splendid entertainment, at which Mrs. Bob Proffer, Secretary of the Senate Ladies Club, presided in her usual and gracious manner; now, therefore, be it

Resolved, That the Senate go on record as highly appreciating, complimenting and commending Mrs. Wardlow Lane, President of the Senate Ladies Club, and her Committee, who so ably and graciously assisted her, for the pleasure of the occasion; and, be it further

Resolved, That a copy of this resolution be sent to Mrs. Wardlow Lane.

JONES
CARNEY

The resolution was read and was adopted.

Adjournment

On motion of Senator Bullock the Senate at 12:05 o'clock p.m. today, adjourned until 10:00 o'clock a.m. tomorrow.

In Memory of
Honorable George H. Sheppard

Senator Ashley offered the following resolution:

(Senate Resolution 8)

Whereas, on the evening of January 18, 1949, the Honorable George H. Sheppard, Texas' beloved and distinguished Comptroller of Public Accounts, departed this life; and

Whereas, Texas has lost one of her greatest citizens and public servants; now, therefore, be it

Resolved, That we express our sincere and heartfelt sympathy to his widow and other members of his family; that a committee of the Senate be appointed by the Chair to prepare an appropriate memorial; that the Senate Chamber be tendered to the family and citizens of Texas in order that the body of their beloved State Comptroller may there lie in state from 12:00 o'clock noon until 2:00 o'clock P. M. tomorrow, January 20, 1949; and that the Secretary of the Senate be instructed to provide a suitable floral offering for the Senate; and, be it further

Resolved, That when the Senate adjourns today, it do so in tribute to the memory of Honorable George H. Sheppard.

ASHLEY
JONES
BULLOCK

Signed—Allan Shivers, Lieutenant Governor, Senators

Aikin	Cousins	Lane	Proffer
Ashley	Hardeman	Lock	Shofner
Bell	Harris	Martin	Strauss
Bracewell	Hazlewood	McDonald	Taylor
Bullock	Hudson	Moffett	Tynan
Carney	Jones	Moore	Vick
Colson	Kelley of Hidalgo	Morris	Weinert
Corbin	Kelly of Tarrant	Phillips	

The resolution was read.

On motion of Senator Harris, the names of the Lieutenant Governor and all members of the Senate were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.